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for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ROSE GINDEL TRUST, ROSE GINDEL, in her
capacity as Trustee of the Rose Gindel Trust,
MICHAEL GINDEL, individually and in his
capacity as Trustee of the Rose Gindel Trust,
BRENT GINDEL, in his capacity as Trustee of the

Adv. Pro. No. 10-04401 (SMB)

Rose Gindel Trust, and ALVIN GINDEL, in his
capacity as Trustee of the Rose Gindel Trust

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and Rose Gindel Trust (“Gindel Trust”), Michael Gindel, individually and in his capacity as trustee of the Gindel Trust, and Brent Gindel, in his capacity as trustee of the Gindel Trust (“Defendants”), by and through their counsel, Arthur Ruegger, Dentons US LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On November 30, 2010, the Trustee filed and served the Complaint against the Gindel Trust, Michael Gindel, individually and as trustee of the Gindel Trust, and Brent Gindel, Rose Gindel and Alvin Gindel, each in their capacities as trustees of the Gindel Trust (“Original Parties”).

2. On September 15, 2015, the Original Parties filed and served their Answer to the Complaint on the Trustee.

3. Rose Gindel died on February 20, 2016 and Alvin Gindel died on April 22, 2019.

4. Pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181], the Parties entered into a Settlement Agreement and Release on November 20, 2019.

5. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and

Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee's claims in the above-captioned adversary proceeding and dismissal of the adversary proceeding with prejudice.

6. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

7. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

8. The Bankruptcy Court shall retain jurisdiction over this Stipulation.

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Date: November 22, 2019
New York, New York

BAKER & HOSTETLER LLP

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Rose Gindel, in her capacity as Trustee of the
Rose Gindel Revocable Trust, Michael
Gindel, individually and in his capacity as
Trustee of the Rose Gindel Trust, Brent
Gindel, in his capacity as Trustee of the Rose
Gindel Trust, and Alvin Gindel, in his
capacity as Trustee of the Rose Gindel Trust*

SO ORDERED:

/s/ STUART M. BERNSTEIN
Hon. Stuart M. Bernstein
United States Bankruptcy Judge

Dated: November 22nd, 2019
New York, New York